

REMARKS

This Amendment is a submission under 37 C.F.R. § 1.114 for a Request for Continued Examination (RCE).

In the Office Action, claims 3, 5, 7, 9, 54 and 62-64 were rejected. More specifically,

- Claims 3, 5, 7, 54 and 62-64 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent 4,733,462 (Kawatani);
- Claim 9 was rejected under 35 U.S.C. § 103(a) as being obvious over Kawatani in view of U.S. Patent 5,628,110 (Sakaguchi); and
- Claim 62 was also objected to for an informality relating to antecedent basis.

For the reasons set forth hereinbelow, Applicants respectfully request that the objection and rejections associated with the pending claims be withdrawn.

Clarification/Correction

Paragraph 8 of the Office Action states "... now that the claimed "fiducial marker" of the component can be read as the top surface of the component with this top surface is asymmetric with respect to the bottom surface of the component 7." Applicants remind the Examiner that, as set forth at lines 21-29 of page 5 of the specification, the term "fiducial marker" includes any number and all types of marks that serve the distinguishing function discussed in the specification, either in isolation or combination. Applicants further remind the Examiner that such marks may include, but are not limited to, geometric shapes or characters that superficially and/or structurally alter the appearance of the component 2.

Claim Objection

Applicants have herein amended independent claim 62 to provide the proper antecedent basis for the term “fiducial marker” as required. Therefore, Applicants respectfully request that the objection to claim 62 be withdrawn.

§ 102 Rejections

Claims 3, 5, and 7

Applicants submit that independent claim 3 is not anticipated by Kawatani because Kawatani fails to disclose each and every element of claim 3. *See* MPEP § 2131 (stating that a claim is anticipated only if each and every element as set forth in the claim is disclosed in a single prior art reference). More particularly, Applicants submit that Kawatani fails to disclose, among other things, “placing a component into a nest, said component having leads and an alignment-indicating physically asymmetric fiducial marker, said physically asymmetric fiducial marker defining a **bottom surface of said component that is asymmetric with respect to a top surface of said component**, said nest having an asymmetrically shaped recess corresponding to the physically asymmetric fiducial marker on the component” as recited in claim 3.

Applicants submit that Kawatani, referring to figure 1 thereof, merely discloses a flat package IC 7 (referred to in the Office Action as the component). In contrast to the component recited in claim 3, Applicants submit that the top and bottom surfaces of the flat package IC 7 disclosed by Kawatani are **symmetrical** with one another.

Thus, Applicants submit that claim 3 is not anticipated by Kawatani because Kawatani fails to disclose each and every element of claim 3. For similar reasons, Applicants also submit that claims 5 and 7, which depend from claim 3, are not anticipated by Kawatani. Accordingly, Applicants respectfully request that the § 102 rejections associated with claims 3, 5 and 7 be withdrawn.

Claim 54

For reasons similar to those set forth hereinabove with respect to claim 3, Applicants submit that independent claim 54 is not anticipated by Kawatani and respectfully request that the § 102 rejection associated with claim 54 be withdrawn.

Claims 62-64

For reasons similar to those set forth hereinabove with respect to claim 3, Applicants submit that independent claim 62, and claims 63-64 which depend therefrom, are not anticipated by Kawatani. Accordingly, Applicants respectfully request that the § 102 rejections associated with claims 62-64 be withdrawn.

§ 103 Rejection

Claim 9

Claim 9 depends from independent claim 3. Applicants submit that independent claim 3 is nonobvious over Kawatani in view of Sakaguchi because the cited references, either alone or

in combination, fail to teach or suggest each and every element of claim 3. *See* MPEP § 2143 (stating that one of the elements of a *prima facie* case of obviousness under § 103(a) is that the prior art references, either alone or in combination, must teach or suggest every limitation of the claimed invention). More particularly, Applicants submit that the cited references fail to teach or suggest, among other things, “placing a component into a nest, said component having leads and an alignment-indicating physically asymmetric fiducial marker, said physically asymmetric fiducial marker defining a **bottom surface of said component that is asymmetric with respect to a top surface of said component**, said nest having an asymmetrically shaped recess corresponding to the physically asymmetric fiducial marker on the component” as recited in claim 3.

First, as explained previously with respect to claim 1, Kawatani fails to teach or suggest this feature. **Second**, Applicants further submit that Sakaguchi fails to teach or suggest this feature. Indeed, the Office Action does not even rely on Sakaguchi as teaching or suggesting this feature. Rather, the Office Action cites Sakaguchi as teaching directing, comparing and receiving a pattern of radiation for the purpose of disregarding defective components. Even if taken as true, Applicants submit that Sakaguchi fails to remedy the defects of Kawatani with respect to claim 3.

Thus, for the reasons set forth hereinabove, Applicants submit that independent claim 3 is nonobvious over the combination of Kawatani and Sakaguchi. *See* MPEP § 2143 *id.* Applicants further submit that claim 9, which depends from claim 3, is also nonobvious over the combination of Kawatani and Sakaguchi. *See* MPEP §2143.03 (stating that if an independent

claim is nonobvious under §103(a), then any claim depending therefrom is nonobvious).


Accordingly, Applicants respectfully request that the §103(a) rejection associated with claim 9 be withdrawn.

CONCLUSION

Applicants respectfully request a Notice Of Allowance for the pending claims in the present application. If the Examiner is of the opinion that the present application is in condition for disposition other than allowance, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below in order that the Examiner's concerns may be expeditiously addressed.

Respectfully submitted,

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